

**STATE OF MINNESOTA**  
**ACCESS REVIEW BOARD**

In the Matter of the Application of  
Arbor Lakes Commons Senior Living

FINAL DECISION  
Dated: May 1, 2025

Application No. 25-05

This matter came on for hearing before the Access Review Board (“Board”) on April 11, 2025. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley, Elise Wehrman, and Jim Weaver were present in person, while Board members David Fenley and Marvin Forbragd were present via teleconference.

The issue in this application is whether the application for a waiver of the State Building Code for the purpose of installing a stairway chairlift should be granted.

Arbor Lakes Commons Senior Living requested a waiver of the State Building Code to install a stairway chairlift at its senior living facility in Maple Grove, Minnesota. The senior living facility is a three-story building with an elevator. The facility will be undergoing a rehabilitation project, including refurbishing the elevator, requiring the elevator to be out of commission for 6-8 weeks. The senior living facility seeks to install four temporary straight rail chairlifts in stairway B for residential use while the elevator is being refurbished.

The Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3.

With regard to the first factor, the need for limited accessibility when a higher degree of accessibility is not required by state or federal law or rule, the Board noted that the facility is a senior living facility with residents who have difficulty walking stairs.

With regard to the second factor, the architectural feasibility of providing a greater degree of accessibility than would be provided by the proposed device or equipment and the cost of providing a greater degree of accessibility, the Board noted that the facility’s application indicates that there is no room to install a second elevator and that they investigated the use of wheelchair lifts and a construction skip, respectively costing about \$200,000 and \$130,000. The construction skip would also require a full-time operator.

With regard to the third factor, the total cost of the proposed device or equipment over its projected usable life, including installation, maintenance, and replacement costs, the Board determined that the total estimated cost for the installation of the chairlifts of \$20,000 is justified.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chairlifts are manufactured by Stannah, which is a reputable company.

With regard to the fifth factor, the applicant's ability to comply with all recognized access and safety standards for installation and maintenance, the Board discussed that the chairlift device allows the user to fold the chair out of the way when not in use for safety and to maintain the device in good condition.

With regard to the sixth factor, whether the proposed device or equipment can be operated and used without reducing or compromising minimum safety standards, the Board noted that the proposed stairway is 54.25 inches wide, and the folded chair protrudes 16.5 inches. The Board determined that 37.75 inches of clear passing space is a compliant clearance as allowed by IBC Chapter 10, Sections 1012.8 and 1009.4 where the occupant load is more than 50. The building has a smoke detector system, an alarm system, and a fire sprinkler system.

After considering these factors, Board member Wehrman made a motion to approve the application for a waiver from the building code to install a straight rail stairway chairlift in Stairway B at the Arbor Lakes Commons Senior Living in Maple Grove, Minnesota conditioned on the facility will remove the chairlifts once the elevator has been refurbished and is operational. Board member Forbragd seconded the motion. The motion carried unanimously.

The Board's approval is subject to the following conditions:

- 1) The stairway chairlifts shall comply with all applicable building and elevator code requirements. **Only licensed elevator contractors may install stairway chairlifts. Proper permits, inspections, and certificates for use shall be obtained by the licensed elevator contractor installing the lift.** Licensed elevator contractors may be found by searching the list of licensed stairway chairlift installers on the Board's website at:

<https://www.dli.mn.gov/about-department/boards-and-councils/access-review-board>

- 2) The stairway chairlifts shall be maintained in the folded position when not in use.
- 3) The stairway chairlifts shall be removed as soon as the elevator has been refurbished and is operational.

  
KAREN GRIDLEY, Chair  
Access Review Board